

2005 DRAFTING REQUEST

Bill

Received: **09/23/2004**

Received By: **pkahler**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Blaine**

This file may be shown to any legislator: **NO**

Drafter: **pkahler**

May Contact:

Addl. Drafters:

Subject: **Public Assistance - med. assist.**

Extra Copies:

Submit via email: **NO**

Pre Topic:

DOA:.....Blaine, BB0009 -

Topic:

Transportation for MA recipients

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pkahler 09/27/2004	jdyer 09/28/2004		_____			S&L
/P1			rschluet 09/28/2004	_____	sbasford 09/28/2004		S&L
/1	pkahler 09/30/2004	jdyer 10/01/2004	rschluet 10/01/2004	_____	sbasford 10/01/2004		S&L
/2	pkahler 12/14/2004	jdyer 12/15/2004	pgreensl 12/15/2004	_____	mbarman 12/15/2004		

FE Sent For:

<END>

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/P1		1 10/1/04 rschl 09/28/2004			sbasford 09/28/2004		

FE Sent For:

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/?	pkahler	<i>PI 9/28 jld</i>	<i>[Signature]</i>	<i>[Signature]</i>			

FE Sent For:

a-28-4
<END>

DHFS

Department of Health and Family Services
2005-2007 Biennial Budget Statutory Language Request
September 21, 2004

Medicaid Transportation

Current Language

s. 49.46 (2)(b)3

Proposed Change

Amend s.49.46(2)(b)3. to provide that the Department will pay for appropriate transportation for Medicaid recipients as provided through an entity that manages transportation services for the Medicaid program.

Effect of the Change

The Department funds transportation for Medicaid (MA) recipients by common carrier and specialized medical vehicle. Common carrier costs are reimbursed through local county and tribal agencies. Medicaid certifies and directly reimburses specialized medical vehicle providers.

This statutory language change will allow the Department to contract with a transportation broker to provide transportation services for Medicaid recipients. The transportation broker will determine the most appropriate form of transportation for individual recipients.

Rationale for the Change

The use of a transportation broker will generate cost savings without eroding access to services. A transportation broker will make certain that services are properly triaged to ensure that recipients use the most appropriate and cost-effective means of transportation available. Duplication of services will be avoided. In addition to the savings in service costs, there will be administrative savings for counties and possibly for the Department. It is possible that the availability of transportation services will increase as a result of efficiency measures and better allocation of resources.

Desired Effective Date: Upon passage of the Biennial Budget bill
Agency: DHFS
Agency Contact: Ellen Hadidian

BB0009

2003-05 Budget Bill Statutory Language Drafting Request

- Topic: Medicaid Transportation
- Tracking Code: (Assigned by Government Operations Team)
- SBO team: Health and Insurance
- SBO analyst: Robert Blaine
 - Phone: 7-7980
 - Email: robert.blaine@doa.state.wi.us
- Agency acronym: DHFS
- Agency number: 435



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-02607

PJK:.....

SOON

jld

DOA:.....Blaine, BB0009 - Transportation for MA recipients

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

D-note

do not
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1 AN ACT *✓*; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

MEDICAL ASSISTANCE

charges for

Under current law, as a benefit under the Medical Assistance (MA) program, DHFS pays on behalf of MA recipients transportation by emergency medical vehicle to obtain emergency medical care, transportation by specialized medical vehicle to obtain medical care, and, if first approved by the county department of human services or social services, transportation by common carrier or private motor vehicle to obtain medical care. This bill modifies the MA transportation benefit. Under the bill, DHFS will pay on behalf of MA recipients transportation to obtain medical services that is provided through an entity with which DHFS has contracted to manage transportation services for the MA program.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 49.46 (2) (b) 3. *✓* of the statutes is repealed and recreated to read:

1 49.46 (2) (b) 3. ✓ Appropriate transportation to obtain medical services that is
2 provided through an entity with which the department ✓ has contracted to manage
3 transportation services for the Medical Assistance ✓ program.

4 (END)

D-note

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-02607dn

PJK:.....

JLD

Robert:

Note s. 49.45 (51).[✓] I did not amend it because I thought that, even with an MA transportation manager, DHFS could still make payments to "local governmental units for the provision of transportation for medical care, as specified under s. 49.46 (2) (b) 3." Let me know if that is not the case.

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0260/P1dn
PJK:jld:rs

September 28, 2004

Robert:

Note s. 49.45 (51). I did not amend it because I thought that, even with an MA transportation manager, DHFS could still make payments to "local governmental units for the provision of transportation for medical care, as specified under s. 49.46 (2) (b) 3." Let me know if that is not the case.

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.state.wi.us

Kahler, Pam

From: Blaine, Robert
Sent: Thursday, September 30, 2004 9:20 AM
To: Kahler, Pam
Subject: FW: FW: LRB Draft: 05-0260/P1 Transportation for MA recipients



SMV statute
change.doc

Pam -- one minor change to the draft. See attached.

Thanks,
Robert

-----Original Message-----

From: Hadidian, Ellen
Sent: Wednesday, September 29, 2004 10:24 AM
To: Blaine, Robert
Cc: Megna, Richard
Subject: Re: FW: LRB Draft: 05-0260/P1 Transportation for MA recipients

Program staff have reviewed and have one suggestion, which is to specify that the transportation is for non-emergency medical services (see attached). Emergency transportation will not be included in the broker contract. We agree with the drafter's note; this language would apply to payments made to municipal providers for ambulance services. Thanks for the chance to review.

>>> Blaine, Robert 09/28/04 01:30PM >>>
Please forward comments / concerns as soon as feasible. Note the LRB drafters note...

Thanks,
Robert

-----Original Message-----

From: Schlueter, Ron [mailto:Ron.Schlueter@legis.state.wi.us]
Sent: Tuesday, September 28, 2004 11:57 AM
To: Blaine, Robert
Cc: Johnston, James; Hanaman, Cathlene; Haugen, Caroline; Schaeffer, Carole
Subject: LRB Draft: 05-0260/P1 Transportation for MA recipients

Following is the PDF version of draft 05-0260/P1.

3. (a) Transportation by emergency medical vehicle to obtain emergency medical care., ~~transportation by specialized medical vehicle to obtain medical care including the unloaded travel of the specialized medical vehicle necessary to provide that transportation or, if authorized in advance by the county department under s. 46.215 or 46.22, transportation by common carrier or private motor vehicle to obtain medical care.~~

(b) Appropriate transportation to obtain ~~non-emergency~~ medical services that is provided through an entity with which the department has contracted to manage transportation services for the Medical Assistance program.



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0260/BI

PJK:jld:rs

SOON

revision

DOA:.....Blaine, BB0009 - Transportation for MA recipients

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

Dr. note

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get cat

1 AN ACT; relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

MEDICAL ASSISTANCE ✓

Under current law, as a benefit under the Medical Assistance (MA) program, DHFS pays on behalf of MA recipients charges for transportation by emergency medical vehicle to obtain emergency medical care, transportation by specialized medical vehicle to obtain medical care, and, if first approved by the county department of human services or social services, transportation by common carrier or private motor vehicle to obtain medical care. This bill modifies the MA transportation benefit. Under the bill, DHFS will pay on behalf of MA recipients charges for transportation to obtain medical services that is provided through an entity with which DHFS has contracted to manage transportation services for the MA program.

nonemergency ✓

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

with respect to obtaining nonemergency medical care

Remove
X space

nonemergency

insert 2-1 ✓

1

~~SECTION 1. 49.46 (2) (b) 3. of the statutes is repealed and recreated to read:~~

2

49.46 (2) (b) 3. ~~Appropriate transportation~~ ^{b.} to obtain medical services that is

3

provided through an entity with which the department has contracted to manage

4

transportation services for the Medical Assistance program.

5

(END)

nonemergency

↓ appropriate transportation

D-note

Robert:

Let me know if the cross-reference
in s. 49.45 (51) [✓] needs to be limited to
s. 49.46 (2) (b) 3. a. [✓]
↑
letter

PJK

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0260/lins
PJK:jld:rs

INSERT 2-1

1 **SECTION 1.** 49.46 (2) (b) 3. ✓ of the statutes is renumbered 49.46 (2) (b) 3. a. ✓ and
2 amended to read:

3 49.46 (2) (b) 3. a. Transportation by emergency medical vehicle to obtain
4 emergency medical care, ~~transportation by specialized medical vehicle to obtain~~
5 ~~medical care including the unloaded travel of the specialized medical vehicle~~
6 ~~necessary to provide that transportation or, if authorized in advance by the county~~
7 ~~department under s. 46.215 or 46.22, transportation by common carrier or private~~
8 ~~motor vehicle to obtain medical care.~~ ✓

History: 1971 c. 125, 211, 215; 1973 c. 90, 147; 1975 c. 39; 1977 c. 29 ss. 592m, 1656 (18); 1977 c. 389, 418; 1979 c. 34, 221; 1981 c. 20, 93, 317; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 245 ss. 10, 15; 1983 a. 538; 1985 a. 29, 120, 176, 253; 1987 a. 27, 307, 339, 399, 413; 1989 a. 9; 1989 a. 31 ss. 1454d to 1460 and 2909g, 2909i; 1989 a. 122, 173, 333, 336, 351; 1991 a. 39, 178, 269, 316; 1993 a. 16, 99, 269, 277, 446, 450, 491; 1995 a. 27, 77, 164, 289, 303, 457; 1997 a. 27, 35, 105, 237; 1999 a. 9; 2001 a. 16; 2003 a. 33.

9 **SECTION 2.** 49.46 (2) (b) 3. b. ✓ of the statutes is created to read:

(END OF INSERT 2-1)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0260/1dn
PJK:jld:rs

October 1, 2004

Robert:

Let me know if the cross-reference in s. 49.45 (51) needs to be limited to s. 49.46 (2) (b) 3. a.

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.state.wi.us

Kahler, Pam

From: Blaine, Robert
Sent: Monday, December 13, 2004 4:01 PM
To: Kahler, Pam
Subject: RE: Fwd: FW: LRB Draft: 05-0260/1 Transportation for MA recipients

Pam --

DHFS pointed out one minor change needed for this draft. As you may recall, we've divided transportation services under 49.46 (2)(b)3. into emergency transportation and non-emergency (for which the broker would be used).

The language under the emergency section states it is for an "emergency medical vehicle to obtain emergency medical care." DHFS pointed out that there are some non-emergency situations which require an ambulance, due to specialized equipment (e.g., moving NICU babies between hospitals). Below, Eileen Mcrae has suggested some language to ensure that ambulances could be used under (2)(b)3.a. for these types of situations.

Ellen Hadidian also responded below to your drafter's note.

Thanks for your help.
Robert

-----Original Message-----

From: Hadidian, Ellen
Sent: Friday, December 03, 2004 10:06 AM
To: Blaine, Robert
Cc: Megna, Richard
Subject: Re: Fwd: FW: LRB Draft: 05-0260/1 Transportation for MA recipients

Hi Robert,

Attached is one more comment on the emergency transp. language - a qualification needed because ambulances may be used for non-emergency purposes when no other vehicle is available. If you agree with this, could you forward to drafter? In answer to her question, we don't think we need to limit the cross-reference in s.49.45 (51).

I think this is the last of the stat. language issues - once this is redrafted, we should be done.

-----Original Message-----

Date: 11/30/2004 04:29 pm -0600 (Tuesday)
From: Eileen McRae
To: Hadidian, Ellen
CC: Vavra, James
Subject: Re: Fwd: FW: LRB Draft: 05-0260/1 Transportation for MA recipients

Ellen,
In talking to Jim I realized that I did not indicate that ambulance providers do provide some non-emergency transports (e.g., hospital-to-hospital). I have two suggestions for incorporating this (I prefer the first):

Transportation by emergency medical vehicle to obtain emergency medical care, (or, we could state: Transportation by emergency medical vehicle to obtain emergency medical care, or to obtain non-emergency medical care when transportation by other means is contraindicated.) transportation by specialized medical vehicle to obtain medical care including the unloaded travel of the specialized medical vehicle necessary to provide that transportation or, if authorized in advance by the county department under s. 46.215 or

Let me know if you have questions. Thanks.
Eileen

This looks good to me. Re the question of cross-referencing to 49.45(51), I would say not, but you may want to check to with Richard Megna (I'll doublecheck with Vavra). 49.51 is ambulance transports provided by municipalities.

Eileen

2



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0260/2

PJK:jld:rs

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SOON

DOA:.....Blaine, BB0009 - Transportation for MA recipients

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT *do not
you cut*; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

MEDICAL ASSISTANCE

Under current law, as a benefit under the Medical Assistance (MA) program, DHFS pays on behalf of MA recipients charges for transportation by emergency medical vehicle to obtain emergency medical care, transportation by specialized medical vehicle to obtain nonemergency medical care, and, if first approved by the county department of human services or social services, transportation by common carrier or private motor vehicle to obtain nonemergency medical care. This bill modifies the MA transportation benefit *with respect to obtaining nonemergency medical care*. Under the bill, DHFS will pay on behalf of MA recipients charges for transportation to obtain nonemergency medical services that is provided through an entity with which DHFS has contracted to manage transportation services for the MA program.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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SECTION 1. 49.46 (2) (b) 3. of the statutes is renumbered 49.46 (2) (b) 3. a. and amended to read:

49.46 (2) (b) 3. a. Transportation by emergency medical vehicle to obtain emergency medical care, transportation by specialized medical vehicle to obtain medical care including the unloaded travel of the specialized medical vehicle necessary to provide that transportation or, if authorized in advance by the county department under s. 46.215 or 46.22, transportation by common carrier or private motor vehicle to obtain medical care.

SECTION 2. 49.46 (2) (b) 3. b. of the statutes is created to read:

49.46 (2) (b) 3. b. To obtain nonemergency medical services, appropriate transportation that is provided through an entity with which the department has contracted to manage transportation services for the Medical Assistance program.

(END)

except as provided in subd. 3. a.,

and, if transportation by other means
is contraindicated,

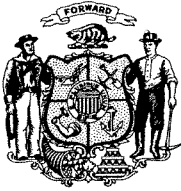
2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0260/2ins
PJK:jld:rs

INSERT A

not by emergency medical vehicle to obtain emergency medical care and also to
obtain nonemergency medical care if transportation by other means is
contraindicated. Otherwise, ~~for obtaining nonemergency medical care,~~ DHFS will
pay charges for transportation.

(END OF INSERT A)



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0260/2

PJK:jld:pg

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5 ~~medical care including the unloaded travel of the specialized medical vehicle~~
6 ~~necessary to provide that transportation or, if authorized in advance by the county~~
7 ~~department under s. 46.215 or 46.22, transportation by common carrier or private~~
8 ~~motor vehicle and, if transportation by other means is contraindicated,~~ to obtain
9 nonemergency medical care.

10 **SECTION 2.** 49.46 (2) (b) 3. b. of the statutes is created to read:

11 49.46 **(2)** (b) 3. b. To obtain nonemergency medical services, except as provided
12 in subd. 3. a., appropriate transportation that is provided through an entity with
13 which the department has contracted to manage transportation services for the
14 Medical Assistance program.

15  (END)